

## HEALTHY FORESTS RESTORATION ACT

Mr. BINGAMAN. Mr. President, last Thursday the Senate passed H.R. 1904, the Healthy Forests Restoration Act. I voted for the bill because I believe we need to take action to bring our forests back to good health, and there are some good provisions in the Senate-passed version of the bill. For example, the Senate version allows communities to provide recommendations on reducing the threat of unnaturally intense catastrophic wildfire in community wildfire protection plans.

In addition, two amendments that I offered were adopted by the Senate. The first amendment requires collaborative monitoring of the social and ecological effects of projects. Without this requirement, we will never be able to rebuild trust between rural communities and the agencies. The second amendment encourages the Forest Service and the Bureau of Land Management to hire local contractors for forest thinning projects in order to create jobs in forest-dependent communities.

Even so, I continue to believe there are serious problems with this legislation. Most significantly, the bill fails to tackle the main obstacle constraining the Forest Service from improving forest health which is the agency's harmful policy of borrowing from proactive forest restoration accounts to pay for firefighting. Some of the other major issues raised by the Senate language include a lack of any new funding to reduce hazardous fuels; curtailing public participation in the management of public lands, including the establishment of a new so-called "pre-decisional" review process; and lack of protection for National Monuments, roadless areas and other environmentally sensitive areas.

I tried to fix these problems by offering and cosponsoring amendments, including one to give the Forest Service new authority to borrow funds directly from the Treasury when firefighting costs exceed available funds. Unfortunately, this amendment did not prevail. However, Senator BURNS, Senator NICKLES, and others offered to work with me to seek solutions to the "fire borrowing" problem. I accept their gracious offer and look forward to addressing this issue in the future with their cooperation and assistance.

Other amendments that were offered by myself and others to improve the bill were defeated. Nonetheless, I voted for final passage of H.R. 1904 because the Senate version was an improvement as compared to the one passed by the House earlier this year.

FOREIGN OPERATIONS EXPORT FINANCING, AND RELATED AGENCIES APPROPRIATIONS ACT, 2004  
WATER MISSIONS' HONDURAS WATER SUPPLY DEMONSTRATION PROJECT

Mr. GRAHAM of South Carolina. Mr. President I rise to ask the bill's man-

ager, Senator MCCONNELL, about a provision in the Fiscal Year 2004 foreign operations bill of particular importance to me. This appropriations bill provides \$100 million for water conservation, \$1.5 million of which the committee report sets aside for Water Missions International for its safe water supply and wastewater treatment projects for several regional hospitals in Honduras. Water Missions is a faith-based South Carolina organization that delivers potable water engineering systems to towns and villages in developing countries around the world. I ask Senator MCCONNELL if he is familiar with Water Missions International and this important demonstration project.

Mr. MCCONNELL. Yes, I am familiar with Water Missions International and its work to provide water to communities in developing countries. I am particularly familiar with their current water project in a regional hospital in Honduras. I recently met with Water Missions' founders, George and Molly Greene, to discuss this important project and was impressed by Water Missions International's use of low-cost, appropriate technology for improving drinking water supplies.

Mr. GRAHAM of South Carolina. If I may raise one more issue, I am concerned that United States Agency for International Development, USAID, has at times not followed report recommendations made by the Senate and House Appropriations Committees. Is it the manager's intention that USAID follow the recommendation in the report?

Mr. MCCONNELL. Absolutely. I strongly support the report language that was included in Omnibus Appropriations Bill earlier this year, saying that "the managers expect the Department of State and USAID to follow the recommendations in the House and Senate reports, unless those recommendations are modified in the statement of the managers." I am pleased that senior USAID officials recently met with Water Missions to begin the partnership process in implementing this particular recommendation.

Mr. GRAHAM of South Carolina. I thank Senator MCCONNELL for his support of Water Missions and its inclusion as an USAID project.

## AMENDMENTS TO VARIOUS REGULATIONS OF THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. LOTT. Mr. President, I would like to give notice to Members and staff of the Senate that the Committee on Rules and Administration has approved amendments to six committee regulations. Pursuant to Title V of the Rules of Procedure for the Committee on Rules and Administration, and having provided advance notice of our intention to approve the following amendments to the regulations attached hereto, we hereby approve said

amendments effective November 1, 2003, except for amendments to the regulations governing furniture, accessories and special allowances policy which shall be effective January 3, 2005.

I. The following regulations are approved as amended:

A. Committee Regulations Governing the Payment of Funeral Expenses of Deceased Members, as amended, by adding, deleting and substituting as follows:

Delete the last sentence in the first paragraph and substitute—"Such arrangements may include ordinary and necessary expenses for the following:"

Add the following after item 4—"floral expenses themselves are personal in nature and are not considered an official expense, with the exception of one floral arrangement from the United States Senate);"

Delete the word "Service" and substitute the word "Reasonable" at the beginning of item 6, and insert the words "use of a" after the word "for" and before the word "church". Also insert the word "other" after the word "or" and before the word "place".

Substitute "\$5,000" for "\$2,000" for casket expense in item 9.

Substitute "\$2,000" for "\$1,000" for burial plot in item 10.

Add the following as item 11—"Miscellaneous expenses directly related to the funeral (e.g., fee for minister and musician) and not personal in nature (e.g., food, flowers, cards), not to exceed \$2,500 in the aggregate."

Add the following as item 12—"Any request for exceptions to this list must be made to the Sergeant at Arms, and approved by the Committee on Rules and Administration."

A copy of the Committee Regulations governing funeral expenses for deceased Members, as amended, is included as Attachment A. These amended regulations shall be effective as of November 1, 2003.

B. Committee Regulations Governing Advance Payment, as amended, by adding new sections (l) and (m) as follows:

"(l) Metro subsidy, one week in advance of the new month"

"(m) Pre-paid cellular and telephone communications"

A copy of the Committee Regulations governing advance payment, as amended, is included as Attachment B. These amended regulations shall be effective as of November 1, 2003.

C. Committee Regulations Governing Furniture, Accessories and Special Allowances Policy for Senate Office Buildings, as amended, by substituting as follows:

Substitute "\$5,000" for "\$2,500" under Operational Policy for Senators' Special Furniture and Accessory Allowance.

A copy of the Committee Regulations governing furniture, accessories and special allowances policy, as amended, is included as Attachment C. These amended regulations shall be effective as of January 3, 2005.

D. Committee Regulations Governing Payments and Reimbursements From

the Senate Contingent Fund for Expenses of Senate Committees and Administrative Offices (adopted by the Committee on Rules and Administration on July 23, 1987 as authorized by Senate Resolution 258, 100th Congress, 1st session, these regulations supercede regulations adopted by the Committee on October 22, 1975 and April 30, 1981), as amended, by substituting as follows:

- Substitute "\$50" for "\$35" in Section 1.
- Substitute "\$50" for "\$35" in Section 3.
- Substitute "\$50" for "\$35" in Section 6 in both instances.
- Substitute "\$50" for "\$35" in Section 8.

A copy of the Committee Regulations governing reimbursements for Senate Committee expenses, as amended, is included as Attachment D. These amended regulations shall be effective as of November 1, 2003.

E. Committee Regulations Governing Senators' Official Personnel and Office Expense Accounts (adopted by the Committee on Rules and Administration Pursuant to Senate Resolution 170 agreed to September 19, 1979), as amended, by substituting as follows:

- Substitute "\$50" for "\$35" in Section 2.
- Substitute "\$50" for "\$35" in Section 3.
- Substitute "\$50" for "\$35" in Section 6 in both instances.

A copy of the Committee Regulations governing Senators' official personnel and office expense accounts, as amended, is included as Attachment E. These amended regulations shall be effective as of November 1, 2003.

F. Committee Regulations Governing Assignment, Accountability, and Inventory Control of Equipment, as amended, by adding a new section as follows:

**"DE MINIMIS EXCEPTION FOR USE OF SENATE EQUIPMENT"**

Sec. 11. It is the normal and standing policy of the Senate that official Senate resources may only be used in connection with official business. However, in recognition of the infrequent need for authorized users of official Senate resources or equipment to take care of occasional personal matters during normal business hours, pursuant to S. Res. 238 (108th Congress, 1st Session), the de minimis use of official Senate resources (i.e. computers, Internet services, cellular telephones, copiers and facsimile machines and other such similar devices) is hereby permitted.

For purposes of this policy, "de minimis use" is defined as the incidental, unofficial use of Senate resources or equipment when such use is significantly negligible in nature and frequency and at nominal expense to the government. Such use must also not create the appearance of impropriety. The de minimis use of official resources as described herein is considered to be in the interest of the Senate. The de minimis uses permitted herein are only acceptable when such uses are performed without measurable interference to the performance of the official duties of the authorized user and are in compliance with the Senate Code of Official Conduct.

Nothing contained herein shall be construed to permit the use of Internet services

or any other official resources for partisan, political or campaign purposes—such use is strictly prohibited under any circumstances. Nothing contained herein shall be construed to permit the use of official Senate resources for any commercial activity or any income-generating purpose or for any other illegal activity.

It is the responsibility of each Senator, Committee Chairman, Officer of the Senate, or administrative office head to oversee the use of official Senate resources by their office and to ensure that the use is consistent with the requirements established by this policy as well as any other applicable laws and regulations. Nothing contained in the above policy shall prevent a Senator, Committee Chairman, Officer of the Senate or administrative office head from adopting a more restrictive de minimis use policy."

A copy of the Committee Regulations governing Assignment, Accountability, and Inventory Control of Equipment, as amended, is included as Attachment F. These amended regulations shall be effective as of November 1, 2003.

I ask unanimous consent that the attachments be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

**ATTACHMENT A—COMMITTEE ON RULES AND ADMINISTRATION REGULATIONS GOVERNING THE PAYMENT OF FUNERAL EXPENSES OF DECEASED MEMBERS—ADOPTED JULY 23, 1987**

In accordance with Sec. 3.(a)(1) of Senate Resolution 458, agreed to October 4, 1984, funeral arrangements for deceased Senators made by the Sergeant at Arms and paid from the contingent fund of the Senate shall be generally limited to those activities and costs associated with the transportation, preparation, and disposition of the remains. [Such activities and costs may include, but not be limited to, the following:] *Such arrangements may include ordinary and necessary expenses for the following:*

1. The transportation of remains to the mortuary;
2. Complete preparation and care of the remains;
3. Automotive equipment, including limousine service for the immediate family, pallbearers, and the funeral coach;
4. Funeral home expenses for the receipt, care, and arrangement of floral tributes and a supply of acknowledgment cards, (*floral expenses themselves are personal in nature and are not considered an official expense, with the exception of one floral arrangement from the United States Senate*);
5. Preparation of usual newspaper notices, procuring and executing the required certificates and permits;
6. [Service] *Reasonable fee for use of a church, synagogue or other place of service;*
7. Cremation fees, including urn;
8. Interment fees or charges for grave services;
9. Burial vault and casket, not to exceed **[\$2,000] \$5,000**;
10. If not previously purchased by the family, one burial plot (not to exceed **[\$1,000] \$2,000**) and temporary marker. Permanent grave markers or headstones are personal items and are not authorized by these regulations to be paid from appropriated funds.
11. *Miscellaneous expenses directly related to the funeral (e.g., fee for minister and musician) and not personal in nature (e.g., food, flowers, cards), not to exceed \$2,500 in the aggregate.*

12. *Any request for exceptions to this list must be made to the Sergeant at Arms, and approved by the Committee on Rules and Administration.*

**ATTACHMENT B—COMMITTEE REGULATIONS GOVERNING ADVANCE PAYMENT—(ADOPTED BY THE COMMITTEE ON RULES AND ADMINISTRATION, OCTOBER 30, 1997, AMENDED ON SEPTEMBER 30, 1998)**

Under the authority granted by Sec. 1(b) for P.L. 105-55, the FY98 Legislative Branch Appropriations bill and using these regulations—

The term "advance payment" means any expense authorized, by the Committee on Rules and Administration, pursuant to P.L. 105-55.

By the above definition of advance payment and following the enactment of the FY98 Legislative Branch Appropriations bill, in addition to subscriptions, the following items are for advance payment:

- (a) Rental of water coolers (cooler units only/not for water)
- (b) Monthly maintenance on equipment that is either non-standard and/or above the \$500 limit
- (c) Cable TV services (including basic satellite service where needed)
- (d) Online services (for official use by the Senator only)
- (e) Rental booths at State Fairs, rent for space to be used during town hall meetings and associated costs (not to include insurance)
- (f) Conference and seminar fees (not to include meals charged separately)
- (g) Payments on leased equipment
- (h) Paging service
- (i) Clipping services
- (j) Yellow page listings (not to include the classified yellow pages)
- (k) State office rents, up to 1 year in advance
- (l) *Metro subsidy, one week in advance of the new month*
- (m) *Pre-paid cellular and telephone communications*

With respect to charges for on-line services, paging services, clipping services, and equipment maintenance, advance payment shall only be made in the cases of "flat fee services." Also, no advance payment will be allowed in instances where cancellation fees may be incurred. Time limitation on the obligation of funds is restricted to a Member's six-year term of office and a Committee's biennial funding period.

**ATTACHMENT C—COMMITTEE REGULATIONS GOVERNING FURNITURE, ACCESSORIES AND SPECIAL ALLOWANCES POLICY FOR SENATE OFFICE BUILDINGS**

**OPERATIONAL POLICY—SENATORS' SPECIAL FURNITURE AND ACCESSORY ALLOWANCE**

1. An amount of **[\$2,500] \$5,000** will be allotted from appropriated funds to each newly elected/re-elected Senator for the purpose of furnishing a Senator's personal office, reception room, and conference room.
2. This allowance is for the purchase of furniture and furnishings which are in addition to the furnishings requested from the Standard Furniture and Accessories list and will be authorized at the beginning of each Senator's new term of office. The balance in the account will remain available until expended or the end of the term of office.
3. Provisions will be made for Senators to purchase from this special allowance furniture and accessory items which are unique to their offices and/or home states.
4. a. Items authorized for purchase include furniture, furnishings and accessory items. All items shall be separate from other items or assemblies, shall not be perishable, shall be storable, shall be capable of accepting Senate inventory tags, and, except as noted in 4.b., shall be able to be returned to stock for reissue. Items purchased shall be substantial, shall not be of a temporary nature, and shall, in general, be replaceable. The

purchase of items of art, antiques and artifacts is not provided for in this allowance. Items purchased shall not be available through other means such as the Senator's Official Personnel and Office Expense Account. Examples of items not provided for include ashtrays, paintings, frames, photographs, clocks, cut flowers, decorative flowers, vases, or bookends.

b. Items which are exceptions to the above requirements in 4.a., that is, are not required to be returned to stock, but which may be procured through this allowance, include materials to construct draperies, upgraded carpeting, and materials and labor for the custom upholstering of furniture items.

c. The Committee on Rules and Administration, in conjunction with the Architect of the Capitol, will monitor requests for non-standard items to preserve the architectural conformity of the Senate Office Buildings.

5. All furniture and accessories, whether chosen from the Standard list or purchased from the Senators' Special Furniture and Accessory Allowance, remain the property of the Architect of the Capitol.

6. Furnishings secured through this allowance may be returned at any time at the request of the Senator, or the Senator's designated Office Head, to the Architect's inventory without credit to the Senators' special allowance.

7. Items obtained through the special allowance may be purchased, at a depreciated price, from a Senator's personal funds at any time. However, furniture furnished as standard furniture for Senators or Staff from the Standard Furniture and Accessories list, but which has been custom upholstered with materials purchased from the special allowance, is not available for purchase unless the Building Superintendent has declared it to be surplus.

8. Items purchased through the special allowance which have been returned to the Architect's inventory may be obtained by a Senator at the depreciated value as a charge to that Senator's Special Furniture and Accessory Allowance.

9. Depreciation on all items will be calculated on the following basis:

During year	Percent of original purchase price
One .....	100
Two .....	90
Three .....	80
Four .....	70
Five .....	60
Six .....	50
Seven .....	40
Eight .....	30

Salvage value is considered to be 30 percent of the original purchase price.

*Procedure for Ordering Items*

Special furniture and accessory items may be obtained by submitting a request in writing to the Office of the Superintendent with all details pertaining to the items desired including a complete description, cost, availability, vendor(s), etc. Procurement methods will be consistent with the procedures described in the Federal Acquisition Regulation, and all items procured through the special allowance will be at a fair and reasonable price reflective of the fair market value. Procurement will be accomplished by the issuance of a purchase order from the Architect of the Capitol to the vendor. Vendors will then bill the Architect of the Capitol against the purchase order, with payment following approval of each invoice. Reimbursements to other accounts will not be made from the special allowance accounts.

ATTACHMENT D—REGULATIONS GOVERNING PAYMENTS AND REIMBURSEMENTS FROM THE SENATE CONTINGENT FUND FOR EXPENSES OF SENATE COMMITTEES AND ADMINISTRATIVE OFFICES

(Adopted by the Committee on Rules and Administration on July 23, 1987 as authorized by S. Res. 258, 100th Cong., 1st sess., these regulations supercede regulations adopted by the Committee on October 22, 1975 and April 30, 1981)

Section 1. Unless otherwise authorized by law or waived pursuant to Section 6, herein, no payment or reimbursement will be made from the contingent fund of the Senate for any official expenses incurred by any Senate committee (standing, select, joint, or special), commission, administrative office, or other authorized Senate activity whose funds are disbursed by the Secretary of the Senate, in excess of **[\$35] \$50**, unless the voucher submitted for such expenses is accompanied by documentation, and the voucher is certified by the properly designated staff member and approved by the Chairman or elected Senate officer. The designation of such staff members for certification shall be done by means of a letter to the Chairman of the Committee on Rules and Administration. "Official expenses", for the purposes of these regulations, means ordinary and necessary business expenses in support of a committee's or administrative office's official duties.

Section 2. Such documentation should consist of invoices, bills, statements, receipts, or other evidence of expenses incurred, and should include ALL of the following information:

- (a) date expense was incurred;
- (b) the amount of the expense;
- (c) the product or service provided;
- (d) the vendor providing the product or service;
- (e) the address of the vendor; and
- (f) the person or office to whom the product or service was provided.

Expenses being claimed should reflect only current charges. Original copies of documentation should be submitted. However, legible facsimiles will be accepted.

Section 3. Official expenses of **[\$35] \$50** or less must either be documented or must be itemized in sufficient detail so as to leave no doubt of the identity of, and the amount spent for, each item. However, hotel bills or other evidence of lodging costs will be considered necessary in support of per diem expenses and cannot be itemized.

Section 4. Documentation for services rendered on a contract fee basis shall consist of a contract status report form available from the Disbursing Office. However, other expenses authorized expressly in the contract will be subject to the documentation requirements set forth in these regulations.

Section 5. No documentation will be required for the following expenses:

- (a) Salary reimbursement for compensation on a "When Actually Employed" basis;
- (b) reimbursement of official travel in a privately owned vehicle;
- (c) foreign travel expenses incurred by official congressional delegations, pursuant to S. Res. 179, 95th Cong., 1st sess.;
- (d) expenses for receptions of foreign dignitaries pursuant to S. Res. 247, 87th Cong., 2nd sess., as amended; and
- (e) expenses for receptions of foreign dignitaries pursuant to Sec. 2 of Pub. Law 100-71 effective July 11, 1987.

Section 6. In special circumstances, the Committee on Rules and Administration may require documentation for expenses incurred of **[\$35] \$50** or less, or authorize payment of expenses incurred in excess of **[\$35] \$50** without documentation.

Section 7. Cash advances from the Disbursing Office are to be used for travel and petty cash expenses only. No more than \$5,000 may be outstanding at one time for Senate committees or administrative offices, unless otherwise authorized by law or resolution, and no more than \$300 of that amount may be used for a petty cash fund. The individual receiving the cash advance will be personally liable. The Committee on Rules and Administration may, in special instances, increase these nonstatutory limits upon written request by the Chairman of that committee and proper justification.

Section 8. Documentation of petty cash expenses shall be listed on an official petty cash itemization sheet available from the Disbursing Office and should include ALL of the following information:

- (a) date expense was incurred;
- (b) amount of expense;
- (c) product or service provided; and
- (d) the person incurring the expense (payee).

Each sheet must be signed by the Senate employee receiving cash and an authorizing official (i.e., someone other than the employee(s) authorized to certify vouchers). Original receipts or facsimiles must accompany the itemization sheet for petty cash expenses over **[\$35] \$50**.

Section 9. Petty cash funds should be used for the following incidental expenses:

- (a) postage;
- (b) delivery expenses;
- (c) interdepartmental transportation reimbursements for parking, taxi, subway, bus, travel in a privately-owned vehicle; etc.);
- (d) single copies of publications (not subscriptions);
- (e) office supplies not available in the Senate Stationery Room; and
- (f) official telephone calls made from a staff member's residence or toll charges within a staff member's duty station.

Petty cash funds should not be used for the procurement of equipment.

Section 10. Committees are encouraged to maintain a separate checking account only for the purpose of a petty cash fund and with a balance not in excess of \$300.

Section 11. Vouchers for the reimbursement of official travel expenses to a committee chairman or member, officer, employee, contractor, detailee, or witness shall be accompanied by an "Expense Summary Report—Non Travel" signed by such person. Vouchers for the reimbursement to any such individual for official expenses other than travel expenses shall be accompanied by an "Expense Summary Report—Non Travel" signed by such person.

ATTACHMENT E—(REGULATIONS GOVERNING SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNTS—ADOPTED BY THE COMMITTEE ON RULES AND ADMINISTRATION PURSUANT TO SENATE RESOLUTION 170 AGREED TO SEPTEMBER 19, 1979, AS AMENDED.)

Section 1. For the purposes of these regulations, the following definitions shall apply:

- (a) Documentation means invoices, bills, statements, receipts, or other evidence of expenses incurred, approved by the Committee on Rules and Administration.
- (b) Official expenses means ordinary and necessary business expenses in support of the Senators' official and representational duties.

Section 2. No reimbursement will be made from the contingent fund of the Senate for any official expenses incurred under a Senator's Official Personnel and Office Expense Account, in excess of **[\$35] \$50**, unless the voucher submitted for such expenses is accompanied by documentation, and the voucher is personally signed by the Senator.

Section 3. Official expenses of **[\$35] \$50** or less must either be documented or must be

itemized in sufficient detail so as to leave no doubt of the identity of, and the amount spent for, each item. Items of a similar nature may be grouped together in one total on a voucher, but must be itemized individually on a supporting itemization sheet.

Section 4. Travel expenses shall be subject to the same documentation requirements as other official expenses, with the following exceptions:

(a) Hotel bills or other evidence of lodging costs will be considered necessary in support of per diem.

(b) Documentation will not be required for reimbursement of official travel in a privately owned vehicle.

Section 5. No documentation will be required for reimbursement of the following classes of expenses, as these are billed and paid directly through the Sergeant at Arms and Doorkeeper:

(a) official telegrams and long distance calls and related services;

(b) stationery and other office supplies procured through the Senate Stationery Room for use for official business.

Section 6. The Committee on Rules and Administration may require documentation for expenses incurred of [§35] \$50 or less, or authorize payment of expenses incurred in excess of \$35 \$50 without documentation, in special circumstances.

#### ATTACHMENT F—REGULATIONS GOVERNING ASSIGNMENT, ACCOUNTABILITY, AND INVENTORY CONTROL OF EQUIPMENT

Approved by the Committee on Rules and Administration, United States Senate, on January 25, 1983, effective March 1, 1983, to cover Senators, chairmen of committees and subcommittees, officers of the Senate, joint committees of the Congress, other officers and individuals of the legislative branch, and employees of the United States Senate and to supersede the regulations adopted June 28, 1978, which became effective on September 1, 1978.

Resolved by the Committee on Rules and Administration of the United States Senate, That equipment provided to Senators, committee chairmen, other officers and employees of the United States Senate, and other individuals shall be subject to the following regulations relating to assignment, accountability, and inventory control.

#### DEFINITIONS

Sec. 1. (a) As used in these regulations, the term—

(1) "equipment" includes, but is not limited to, typewriters, dictation machines, calculators, facsimile transmission equipment, photocopiers, sound reproduction and recording equipment, video recording equipment, desk-top computers and peripheral equipment, portable computers, answering devices, headsets, Telecommunications Devices for the Deaf (TDDs), modems, intelligent wiring hubs, telephone instruments, cellular telephones, voice couplers, and pagers, whether owned, rented, or leased by the Senate;

(2) "office head" means, with respect to each of the following offices and committees, the following designated officer:

(A) Office of the Vice President, the Vice President;

(B) Office of the President Pro Tempore, the President Pro Tempore;

(C) Office of the Deputy President Pro Tempore, the Deputy President Pro Tempore;

(D) Office of the Majority Leader, the Majority Leader;

(E) Office of the Minority Leader, the Minority Leader;

(F) Office of the Assistant Majority Leader, the Assistant Majority Leader;

(G) Office of the Assistant Minority Leader, the Assistant Minority Leader;

(H) Office of a United States Senator, the Senator;

(I) Committee of the Senate, the Chairman;

(J) Democratic Policy Committee, the Chairman;

(K) Democratic Conference, the Chairman;

(L) Republican Policy Committee, the Chairman;

(M) Republican Conference, the Chairman;

(N) Office of the Sergeant at Arms, the Sergeant at Arms;

(O) Office of the Secretary of the Senate, the Secretary of the Senate;

(P) Office of the Secretary to the Majority, the Secretary to the Majority;

(Q) Office of the Secretary to the Minority, the Secretary to the Minority;

(R) Office of the Legislative Counsel, the Legislative Counsel; and

(S) Office of the Senate Legal Counsel, the Senate Legal Counsel;

(3) "Committee" means a standing committee of the Senate, a select committee of the Senate, or a special committee of the Senate;

(4) "current value" means the fair market value, less 20 percent, or, if the fair market value cannot be determined satisfactorily, the depreciated value;

(5) "fair market value" means the price at which such or similar equipment is freely sold, or in the absence of sales, offered for sale in the metropolitan area of Washington, DC, in retail quantities and in the ordinary course of trade;

(6) "depreciated value" means the original purchase price of equipment depreciated

(A) in the case of typewriters and mailing equipment, by using a straight-line ten year useful life basis;

(B) in the case of word processing equipment, by using a straight-line eight year useful life basis; and

(C) in the case of all other equipment covered by these regulations, by using a straight-line six year useful life basis;

(7) "salvage value" means the price at which such or similar equipment which is irreparably inoperable or beyond its normal useful life is freely sold, or in the absence of sales, offered for sale for recovery of scrap materials or spare parts in the metropolitan area of Washington, DC;

(8) "earnings" means compensation paid or payable by the United States Senate for personal services, whether denominated as wages, salary, commission, bonus, or otherwise; and

(9) "disposable earnings" means that part of the earnings of any individual remaining after the deduction from those earnings of:

(A) any amounts required by law or court order to be withheld; and

(B) amounts withheld for retirement, life insurance, health insurance, and charitable contributions;

(b) In the case of any other office of the Senate not designated in subsection (a), the Senator, staff director, or other officer or staff member in charge of such office shall be an "office head" for purposes of these regulations.

#### REQUESTS FOR EQUIPMENT

Sec. 2. (a) An office head shall have the sole authority to request equipment from the Sergeant at Arms for use in connection with the office or committee under his or her jurisdiction. No such equipment shall be made available except pursuant to a letter to the Sergeant at Arms signed by such office head.

(b) In the case of any joint committee of the Congress which is authorized to receive equipment from the Sergeant at Arms, and any other office which, whether or not a part of the Senate, is authorized to receive such

equipment, the Sergeant at Arms shall not make such equipment available to such committee or office unless the chairman or head thereof enters into an agreement with the Sergeant at Arms sufficient to assure the Sergeant at Arms that proper accountability, assignment, and inventory control procedures will be carried out with respect to such equipment.

(c) The Sergeant at Arms shall not furnish equipment to replace equipment which has been lost, stolen, or damaged, unless the appropriate report required by section 5(b) has been submitted.

#### INVENTORY AND INSPECTION BY SERGEANT AT ARMS

Sec. 3. (a) The Sergeant at Arms shall conduct an on-site physical inventory and inspection of all Senate equipment made available to each office head on an annual basis or as otherwise determined appropriate by the Sergeant at Arms in the interest of sound inventory control.

(b) In addition to any such inventory or inspection conducted pursuant to subsection (a), the Sergeant at Arms shall conduct such special physical inventories and inspections as may be necessary to assure the proper accountability for Senate equipment.

(c) Such inventories and inspections shall be carried out in accordance with such regulations as the Sergeant at Arms, with the approval of the Committee on Rules and Administration, shall adopt.

#### RESPONSIBILITY FOR SAFEGUARDING EQUIPMENT

Sec. 4. (a) Except to the extent otherwise provided in this section each office head shall have the responsibility for safeguarding equipment made available to his or her office or committee and for reporting promptly to the Sergeant at Arms any such equipment which is lost, stolen, damaged or for which such office head cannot account. Assignment of equipment to an office head shall be documented on Senate Form EQU 1, the format and content of which are set forth in section 10.

(b) Notwithstanding any other provision of these regulations, each chairman of a committee may transfer to each chairman of a subcommittee of such committee all of the responsibilities and obligations which the chairman of the committee would otherwise have with respect to such equipment under these regulations. In any case involving such a delegation to a chairman of a subcommittee, such chairman shall be deemed an office head within the meaning of these regulations. Such transfers of responsibility are to be documented on Senate Form EQU 2, the format and content of which are set forth in section 10.

(c) Each office head may delegate to any employee of the office under his or her jurisdiction responsibility for safeguarding equipment assigned to such employee and the responsibility for reporting promptly to the office head and the Sergeant at Arms any such equipment so assigned which is lost, stolen, damaged, or for which such employee cannot account. Such delegations are to be documented on Senate Form EQU 3, the form and content of which are set forth in section 10.

(d) Each office head may adopt such procedures for the office under his or her jurisdiction as such office head may deem appropriate regarding the assignment to employees of such office head of equipment which may be used by any such employee in the conduct of official business at points other than his official post of duty. Such assignments are to be documented on Senate Form EQU 4, the form and content of which are set forth in section 10.

(e) Each office head shall designate a member of his or her staff as the individual responsible for giving the notice required

under paragraph (2) of subsection (f) in the absence of such office head.

(f)(1) An office head to whom equipment has been assigned under these regulations and who intends to retire, resign, or otherwise terminate his or her employment shall notify the Secretary of the Senate of his impending retirement, resignation, or termination as soon as practical.

(2)(A) Whenever an office head, or individual designated by that office head pursuant to subsection (e) of this section, is notified to the effect (i) that an employee to whom such office head has assigned the responsibility for equipment under these regulations intends to retire, resign, or otherwise leave his or her employment, and (ii) that such employee has an unfulfilled financial obligation to the Senate arising out of such assignment, such office head or designated individual shall, not later than the next business day following the day on which such office head or individual learns of such intended retirement, resignation, or termination of employment, notify the Secretary of the Senate of such pending retirement, resignation, or termination of employment, and of such obligation.

(B) For purposes of this paragraph (2), the term "business day" means any day other than a Saturday, Sunday, or holiday.

#### REIMBURSEMENT FOR LOST, STOLEN, OR DAMAGED EQUIPMENT

Sec. 5. (a) In the case of any equipment covered by these regulations which is stolen, lost, or otherwise unaccounted for, reimbursement shall be made in an amount equal to the current value of such equipment as determined in accordance with section 6. In the case of any such equipment which is damaged, reimbursement shall be made in an amount equal to the cost of repairs to such equipment, or its current value (reduced by its salvage value), whichever is less.

(b)(1) Except to the extent otherwise provided in this section, an office head shall be responsible for promptly reimbursing the Senate, through the Sergeant at Arms, for any such equipment made available to him in accordance with these regulations which is lost, stolen, damaged (normal wear and tear excepted), or otherwise unaccounted for, except that no such reimbursement shall be required for such equipment which

(A) is stolen, if such office head promptly reported such equipment as stolen to the appropriate law enforcement agency and promptly notified the Sergeant at Arms of that fact in writing; or

(B) is damaged, if such office head reported such equipment as damaged, together with a statement as to how such damage occurred, to the Sergeant at Arms as soon as practicable after it had been determined damaged, and, on the basis of such statement and other information available to the Sergeant at Arms, the Sergeant at Arms determines that such office head exercised a standard of care with respect to the equipment entrusted to him which a reasonably prudent and careful person would be expected to exercise in the case of his or her own property of a like description under like circumstances and that, in spite of such care, such equipment was so damaged.

(2) An employee to whom responsibility for equipment has been delegated in accordance with the provisions of Section 4 and any other individual who is not an officer or an employee of the Senate but who receives or is responsible for equipment received from the Senate shall be responsible for reimbursing the Senate, through the Sergeant at Arms, for any such equipment so assigned to such employee which is lost, stolen, damaged, or otherwise unaccounted for, except that no such reimbursement shall be required for such equipment which

(A) is stolen, if such employee or other individual promptly reported such equipment as stolen to the appropriate law enforcement agency and promptly notified the Sergeant at Arms and, in the case of an employee, such employee's office head of that fact in writing; or

(B) is damaged, if such employee or other individual reported such equipment as damaged, together with a statement as to how such damage occurred, to the Sergeant at Arms and, in the case of an employee, the employee's office head as soon as practicable after it has been determined damaged, and, on the basis of such statement and other information available to the Sergeant at Arms, the Sergeant at Arms determines that such employee or other individual exercised a standard of care with respect to such equipment entrusted to such employee or other individual which a reasonably prudent and careful person would be expected to take of his own property of a like description under like circumstances and that, in spite of such care, such equipment was so damaged.

(3) Notwithstanding any other provision of these regulations, in any case in which the Sergeant at Arms is unable to obtain reimbursement from any employee in connection with equipment assigned to that employee by an office head, such office head shall be liable for such reimbursement to the extent not recovered from such employee in the same manner as if such assignment had not occurred. The preceding sentence shall not apply in the case of an employee who fails to so reimburse the Senate and who resigns or retires or otherwise leaves his employment, if such office head is in compliance with subsections (e) and (f)(2) of section 4 of these regulations.

(c) Whenever lost or stolen equipment for which reimbursement has been made is found or recovered, the individual from whom reimbursement was received shall notify the Sergeant at Arms immediately upon its recovery and shall tender the property to the appropriate office of the Senate for inspection by the Sergeant at Arms. The Sergeant at Arms shall:

(1) Accept the equipment and refund to such individual the amount of reimbursement paid;

(2) Accept the equipment and refund to such individual an amount equal to the amount of reimbursement paid less the decrease in value of the equipment between the time of its loss and its recovery; or

(3) Refuse to accept return of the equipment and not refund any of the reimbursement.

#### DETERMINATION OF VALUE

Sec. 6. Whenever necessary for the determination of an amount of reimbursement under these regulations, the Sergeant at Arms shall determine the current value of equipment which has been lost, stolen, or is otherwise unaccounted for, and the current value, salvage value, and cost of repairs of equipment which has been damaged.

#### WITHHOLDING OF COMPENSATION OR OTHER PAYMENTS

Sec. 7. (a) Promptly following receipt by him of official notification or reliable public information that an office head is resigning or retiring from, or has left or is otherwise leaving, his or her office, the Secretary of the Senate shall notify the Sergeant at Arms of that fact in writing. Upon receipt of such notice, the Sergeant at Arms shall promptly ascertain whether such office head had an unfulfilled financial obligation to the Senate in connection with any equipment covered by these regulations and shall promptly notify the Secretary of the Senate of his findings. In the case of an office head who has such an unfulfilled financial obligation, the Sec-

retary of the Senate shall withhold from any compensation or other payments due such office head such amount or amounts as may be necessary to satisfy such obligation.

(b) In the case of any employee who is resigning or retiring from or who has left or is otherwise leaving, his or her employment, the Secretary of the Senate, upon receiving notification in accordance with subsections (e) and (f)(2) of section 4 of these regulations, shall withhold from any compensation or other payments due such employee such amount or amounts as may be necessary to satisfy such obligation.

(c) In any other case in which the Sergeant at Arms is unable, after a diligent effort, to obtain from any office head or employee reimbursement of any obligation to the Senate pursuant to these regulations, the Sergeant at Arms shall notify the Secretary of the Senate to that effect and the Secretary shall withhold amounts from compensation or other payments otherwise due such office head or employee until such reimbursement obligation has been satisfied subject to the limitations set forth in subsection (d).

(d) The maximum part of the compensation or other payments such office head, employee, or other individual derived from earnings for any work period which is subject to withholding under subsection (c) shall not exceed the lesser of

(1) twenty-five percent of his disposable earnings for that period, or

(2) if the work period is a workweek, the amount by which his disposable earnings for that workweek exceed 30 times the Federal minimum hourly wage prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938 in effect at the time the earnings are payable, or, if the work period is not a workweek, the amount by which his disposable earnings for that period exceed 30 times the equivalent multiple of the Federal minimum hourly wage prescribed by the Secretary of Labor for such period pursuant to section 303 of the Consumer Credit Protection Act.

(e) In any case in which the Sergeant at Arms is unable, after a diligent effort, to obtain from any office head or employee or any individual who is not an officer or employee of the Senate (but who receives, or is responsible for equipment received from the Senate), reimbursement due from such office head or employee or individual pursuant to these regulations, the Sergeant at Arms shall take all lawful action to obtain such reimbursement.

(f) To the extent permitted by law, moneys so withheld or recovered as reimbursement in connection with equipment lost, stolen, damaged, or otherwise unaccounted for pursuant to these regulations, or by any other lawful means, shall be deposited in the United States Treasury for credit to the appropriation for "Miscellaneous Items" under the heading "Contingent Expenses of the Senate."

(g) Nothing in these regulations shall be construed as precluding the Sergeant at Arms from utilizing any other lawful means or remedies available to him in connection with the obtaining from any such office head or employee, or any such former office head, employee, or other individual any reimbursement due the Senate for equipment lost, stolen, damaged, or otherwise unaccounted for under these regulations.

#### WAIVER AND PETITION

Sec. 8. (a) Notwithstanding any other provision of these regulations, in any case in which the Sergeant at Arms determines that the enforcement of the provisions of these regulations relating to reimbursement would create an undue hardship, or would not be in the public interest, the Sergeant at Arms is authorized to waive, in whole or in part,

such reimbursement otherwise required under these regulations.

(b) Any office head, employee, or other individual who is aggrieved by any final action of the Sergeant at Arms under these regulations involving the matter of reimbursement may petition the Committee on Rules and Administration for a review of such action. On the basis of such petition, the Committee is authorized to approve, disapprove, or modify the action taken by the Sergeant at Arms, and, in the case of any such disapproval or modification, to direct the Sergeant at Arms to take action in conformity therewith.

EQUIPMENT OBTAINED UNDER SECTION 506(A)(9) OF THE SUPPLEMENTAL APPROPRIATIONS ACT, 1973 (2 U.S.C. 58(A)(9))

Sec. 9. The provisions of these regulations shall apply to equipment purchased, leased, or otherwise acquired by a Senator with funds available under section 506(a)(9) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(a)(9)) and to equipment purchased by a committee or an officer of the Senate with appropriated funds. For purposes of these regulations, any equipment so acquired shall be treated as having been requested from the Sergeant at Arms, and as having been made available by him on the date on which it is delivered and installed in the office of the Senator.

FORMS FOR THE DELEGATION AND TRANSFER OF ACCOUNTABILITY

Sec. 10. In the case of equipment issued, reassigned, or otherwise made available on or after the effective date of these regulations, delegations and transfers of accountability for equipment covered by these regulations shall be documented on forms, the content and format of which are set forth below.

[Applicable forms are supplied by the Sergeant at Arms' Equipment Division when making equipment assignments or reassignments.]

DE MINIMIS EXCEPTION FOR USE OF SENATE EQUIPMENT

Sec. 11. It is the normal and standing policy of the Senate that official Senate resources may only be used in connection with official business. However, in recognition of the infrequent need for authorized users of official Senate resources or equipment to take care of occasional personal matters during normal business hours, pursuant to S. Res 238 (108th Congress, 1st Session), the de minimis use of official Senate resources (i.e. computers, Internet services, cellular telephones, copiers and facsimile machines and other such similar devices) is hereby permitted.

For purposes of this policy, "de minimis use" is defined as the incidental, unofficial use of Senate resources or equipment when such use is significantly negligible in nature and frequency and at nominal expense to the government. Such use must also not create the appearance of impropriety. The de minimis use of official resources as described herein is considered to be in the interest of the Senate. The de minimis uses permitted herein are only acceptable when such uses are performed without measurable interference to the performance of the official duties of the authorized user and are in compliance with the Senate Code of Official Conduct.

Nothing contained herein shall be construed to permit the use of Internet services or any other official resources for partisan, political or campaign purposes—such use is strictly prohibited under any circumstances. Nothing contained herein shall be construed to permit the use of official Senate resources for any commercial activity or any income-generating purpose or for any other illegal activity.

It is the responsibility of each Senator, Committee Chairman, Officer of the Senate, or administrative office head to oversee the use of of-

icial Senate resources by their office and to ensure that the use is consistent with the requirements established by this policy as well as any other applicable laws and regulations. Nothing contained in the above policy shall prevent a Senator, Committee Chairman, Officer of the Senate or administrative office head from adopting a more restrictive de minimis use policy.

#### RETIREMENT OF CHARLOTTE MORELAND

Mr. ROCKEFELLER. Mr. President, today I want to honor an extraordinary person and one of my most dedicated staff who is retiring from service in the United States Senate, Charlotte Moreland.

For 19 years, Charlotte has worked in my DC office, joining my team during my very first year in the Senate. And for all these years, Charlotte has always been an advocate for West Virginia. Starting in my personal office, Charlotte moved to the Veterans Committee when I became Chairman and found herself developing a voice and sense of duty for veterans in West Virginia and across our country. Over the years, she listened patiently as they expressed their concerns about a disability claim or health care. She took note as they told their stories of bravery and sacrifice. She remembered the details of their lives that made the difference in getting them the benefits they had earned. Charlotte then took those stories to help craft legislation to improve benefits for all veterans.

She spoke eloquently on behalf of these veterans. As Charlotte often would tell those around her, VA is the second largest department in the United States, right behind the Department of Defense, and I have no doubt that many working for VA have heard the voice of Charlotte Moreland. Her voice was gentle, but firm, when urging VA to take a second look at a claim or to check their records for something they may have missed initially. But I have to tell you, this same voice would rise a few notches and not back down to get attention for a veteran whom she felt was being treated unfairly on a claim, unable to get medical treatment, or to ensure that a veteran got proper recognition with a headstone to pay one last respect to their service. When those times came, I often wondered how Charlotte maintained such a friendly working relationship with those at VA. She always smiled at me and said it was because they knew her heart was in the right place.

For West Virginia veterans, she has been a tireless advocate. Whenever Charlotte saw a gap in services or an unmet need, she worked to fill it. Our State's four VA Medical Centers received numerous visits from Charlotte, and the facilities are better because of those visits. Over the years, West Virginia has expanded the number of veteran centers and community-based outpatient clinics so that veterans can have quality services nearby. Charlotte has made a real difference in the lives of many veterans and their families.

Charlotte Moreland is retiring from my office after a distinguished career. You need look no further than the plaques and awards she has received from Veterans Service Organizations to know that she will be missed. You can hear praise in the telephone calls and the compliments in countless letters to my office to know that she will be missed. I am very proud that Charlotte Moreland has been on my staff for these many years, and I wish her all the best.

#### ADDITIONAL STATEMENTS

##### CHARLES E. KRUSE

• Mr. BOND. Mr. President, it is my honor and great privilege to recognize my fellow Missourian and personal friend, Mr. Charles E. Kruse, president of Missouri Farm Bureau. Mr. Kruse has been recently awarded the Distinguished Eagle Scout Award, the highest honor awarded to Eagle Scouts by the Great Rivers Council. Today I am proud to join with family and friends to recognize and honor Mr. Kruse on this occasion.

I have, over the course of my career, worked with Charlie Kruse on many occasions and have come to know him as a great friend and close ally on behalf of agriculture. In 1983, as Governor, I appointed Charlie to serve on the University of Missouri Board of Curators. Since his appointment Charlie went on to serve as director of the Missouri Department of Agriculture, as the sole Missourian on President Bush's Council on Rural America, Brigadier General of the National Guard, and as the exclusive vice president of North American Equipment Dealers Association.

Since August of 1992, Charlie has solidified his longtime friendship with the Missouri farmer by serving as president of the Missouri Farm Bureau. He is a fourth generation farmer; is on the American Farm Bureau Federation Board of Directors; has served on numerous Presidential commissions making recommendations on farm, tax, trade and environmental policies, and; he is married to Pam—the lady whose name is on the farm combine and who harvests corn at home when Charlie is harvesting awards around the country.

Charlie has been a close friend and advisor for as long as I have been in the Senate and longer than either of us care to admit. He has contributed immeasurably to his community, State and country. He is the product of generations of rural ancestors and is blessed to be deputy commander of his own terrific family. His tireless and enthusiastic contributions and his family inspire his love and inspiration. Charlie is as good a friend as rural America could ever have. We congratulate him for this important recognition and thank him for his for your service to our country. •